

### **IN THE CLAIMS**

This listing of claims replaces all prior versions, and listings, in this application.

Claims 1-33 (canceled)

34. (previously presented) An expression vector comprising a promoter, a recombinase recognition sequence, a selectable drug-resistance gene having an mRNA-destablizing sequence, a polyA addition signal, a recombinase recognition sequence, a gene encoding a viral structural protein, and a polyA addition signal, arranged in this order, which produces a short-lived transcript of the drug-resistance gene and wherein said promoter transcribes the gene encoding a viral structural protein in a prepackaging cell.

Claims 35-40 (canceled)

41. (previously presented) The expression vector as set forth in claim 34, in which the mRNA-destablizing sequence is an mRNA-destabilizing sequence of a c-fos gene.

42. (previously presented) The expression vector as set forth in claim 34, in which the drug-resistance gene is selected from the group consisting of a neomycin resistance gene, a puromycin resistance gene and a hygromycin resistance gene.

43. (previously presented) Cells into which the expression vector as set forth in claim 34 has been transferred and selected with the drug.

44. (previously presented) A process for producing cells expressing a gene encoding a viral structural protein in the expression vector as set forth in claim 34, comprising:

- (a) transferring the expression vector into cells,
- (b) selecting cells which express the drug-resistance gene from the transferred expression vector, and

(c) expressing the gene encoding a viral structural protein in the expression vector in the selected cells.

45. (previously presented) A process for expressing a gene encoding a viral structural protein in the expression vector as set forth in claim 34, comprising:

- (a) transferring the expression vector into cells having gag and pol genes of a retrovirus,
- (b) selecting prepackaging cells which express the drug-resistance gene from the transferred expression vector, and
- (c) expressing the gene encoding a viral structural protein in the expression vector in the selected prepackaging cells.

Claims 46-57 (canceled)

58. (previously presented) An expression vector comprising a promoter, a recombinase recognition sequence, a selectable drug-resistance gene having an mRNA-destablizing sequence, a polyA addition signal, a recombinase recognition sequence, a foreign gene, and a polyA addition signal, arranged in this order, which produces a short-lived transcript of the drug-resistance gene and wherein said promoter transcribes the foreign gene in a prepackaging cell.

59. (previously presented) The expression vector as set forth in claim 58, in which the mRNA-destablizing sequence is an mRNA-destabilizing sequence of a c-fos gene.

60. (previously presented) The expression vector as set forth in claim 58, in which the drug-resistance gene is selected from the group consisting of a neomycin resistance gene, a puromycin resistance gene and a hygromycin resistance gene.

61. (previously presented) Cells into which the expression vector as set forth in claim 58 has been transferred and selected with the drug.

62. (previously presented) A process for producing cells expressing a foreign gene in the expression vector as set forth in claim 58, comprising:

- (a) transferring the expression vector into cells,
- (b) selecting cells which express the drug-resistance gene from the transferred expression vector, and
- (c) expressing the foreign gene in the expression vector in the selected cells.

63. (previously presented) A process for expressing a foreign gene in the expression vector as set forth in claim 58, comprising:

- (a) transferring the expression vector into cells having gag and pol genes of a retrovirus,
- (b) selecting prepackaging cells which express the drug-resistance gene from the transferred expression vector, and
- (c) expressing the foreign gene in the expression vector in the selected prepackaging cells.

64. (previously presented) An expression vector to be expressed in a prepackaging cell comprising a first LTR of a retrovirus genome and a packaging signal, a recombinase recognition sequence, a selectable drug-resistance gene having an mRNA-destablizing sequence, a polyA addition signal, a recombinase recognition sequence, a foreign gene, and a second LTR of a retrovirus genome, arranged in this order, which produces a short-lived transcript of the drug-resistance gene.

65. (previously presented) The expression vector as set forth in claim 64, in which the mRNA-destablizing sequence is an mRNA-destabilizing sequence of a c-fos gene.

66. (previously presented) The expression vector as set forth in claim 64, in which the drug-resistance gene is selected from the group consisting of a neomycin resistance gene, a puromycin resistance gene and a hygromycin resistance gene.

67. (previously presented) Cells into which the expression vector as set forth in claim 64 has been transferred and selected with the drug.

68. (previously presented) A process for producing cells expressing a foreign gene in the expression vector as set forth in claim 64, comprising:

- (a) transferring the expression vector into cells,
- (b) selecting cells which express the drug-resistance gene from the transferred expression vector, and
- (c) expressing the foreign gene in the expression vector in the selected cells.

69. (previously presented) A process for expressing a foreign gene in the expression vector as set forth in claim 64, comprising:

- (a) transferring the expression vector into cells having gag and pol genes of a retrovirus,
- (b) selecting prepackaging cells which express the drug-resistance gene from the transferred expression vector, and
- (c) expressing the foreign gene in the expression vector in the selected prepackaging cells.